

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Austin Caldwell Davis**

**Docket No. 7:16-CR-1-1BR**

**Petition for Action on Supervised Release**

COMES NOW Arthur B. Campbell, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Austin Caldwell Davis, who, upon an earlier plea of guilty to Disposition of Stolen Firearms, 18 U.S.C. § 922(j) and 18 U.S.C. § 924(a)(2), was sentenced by the Honorable W. Earl Britt, Senior U.S. District Judge, on August 1, 2016, to the custody of the Bureau of Prisons for a term of 108 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months.

On November 7, 2017, pursuant to a Rule 35 motion, the court reduced the length of imprisonment from 108 months to 65 months.

On April 5, 2019, pursuant to a second Rule 35 motion, the court reduced the length of imprisonment from 65 months to Time Served.

Austin Caldwell Davis was released from custody on April 08, 2019, at which time the term of supervised release commenced.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On June 6, 2019, the defendant reported to the probation office and admitted to using heroin 2 days prior. Considering his admission, the substantial substance abuse history and the defendant's desire to seek help, the probation office recommended, and the defendant has agreed to to apply for the HOPE Drug Court program. Although the defendant is currently receiving treatment from the VA, the probation office has requested additional treatment from First Step Services. The following 2 conditions are required of participants in HOPE. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall participate in a cognitive behavioral program as directed by the probation office.
2. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days;

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Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ Jeffrey L. Keller  
Jeffrey L. Keller  
Supervising U.S. Probation Officer

/s/ Arthur B. Campbell  
Arthur B. Campbell  
U.S. Probation Officer  
310 New Bern Avenue, Room 610  
Raleigh, NC 27601-1441  
Phone: 919-861-8677  
Executed On: June 10, 2019

**ORDER OF THE COURT**

Considered and ordered this 17 day of June, 2019, and ordered filed and  
made a part of the records in the above case.

\_\_\_\_\_  
W. Earl Britt  
Senior U.S. District Judge

